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May 9, 2024

**VIA ECF**

Hon. Paul A. Engelmayer  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square, Courtroom 1305  
New York, New York 10007

Re: *Frontier Airlines, Inc. v. AMCK Aviation Holdings Ireland Limited, et al.*,  
No. 1:22-cv-02943 (PAE) (S.D.N.Y.)

Dear Judge Engelmayer:

We are co-counsel for Frontier Airlines in the above-captioned action, often referred to as “Case 2.” Pursuant to Your Honor’s Individual Practices Rule 1.E., we write on behalf of the parties to request that the Court approve a 60-day extension of the deadline to complete fact discovery, from May 22, 2024, to July 22, 2024. This is the parties’ third request for an extension, and requests revision of the discovery schedule set forth in ECF Docket Nos. 144 and 145. This letter is similar to the one recently submitted jointly in *Carlyle v. Frontier*, Case No. 1:23-cv-04774 (PAE) (often referred to as “Case 3”) requesting an identical extension so as to maintain the same discovery deadlines between the two cases.

There is good cause to grant the requested extension. Following the Court’s February 23, 2024 order, Frontier and Carlyle continued making rolling productions of documents, though the parties’ collection and review of documents has required more time than initially anticipated. Frontier also noticed six depositions of Carlyle employees and agents. The scheduling of depositions of Frontier employees was delayed due to the trial schedule in *Frontier Airlines, Inc. v. AMCK Aviation, et al.*, No. 1-20-cv-09713-LLS, which was conducted from April 8 to April 19, 2024. Counsel for Defendants in this case (Case 2) was not given notice of depositions that Frontier intended to be taken jointly in Cases 2 and 3. Also, Defendants’ counsel has requested access to Frontier’s document productions in Case 3, which access is in the process of being arranged.

The parties agree that it would be more efficient to conduct certain depositions jointly in Cases 2 and 3, rather than separately. Given the increased efficiencies of conducting Frontier’s discovery jointly in both Cases 2 and 3 and thereby avoiding multiple depositions, the parties agree that the additional time is needed.

In light of the foregoing, counsel for the parties believe that there is good cause to extend the current case management deadlines in this case. The parties agree that the requested extension will not unduly delay this case nor operate as a prejudice against any of the parties.

Set forth in the chart below are the current case management deadlines, pursuant to Civil Case Management Plan and Scheduling Order entered on February 23, 2024, and counsel's jointly proposed revised deadlines:

<b><u>Event</u></b>	<b><u>Current Deadline</u></b>	<b><u>Revised Deadline</u></b>
Fact Discovery Cut-Off	May 22, 2024	July 22, 2024
Fact Depositions to be Completed By	May 22, 2024	July 22, 2024
Expert Discovery Cut-Off	August 7, 2024	October 7, 2024

We thank the Court for its attention to this matter and are available at the Court's convenience if it has any questions regarding this joint request.

Respectfully,

/s/ Eric B. Fisher  
Eric B. Fisher

cc: All counsel of record (via ECF)